

July 10, 2001

The Salisbury Planning Board held its regular meeting on Tuesday, July 10, 2001, in the City Council Chambers of the Salisbury City Hall at 4:00 p.m. with the following being present and absent:

PRESENT: Sean Reid, DeeDee Wright, Elaine Stiller, Eldridge Williams, Rodney Queen, Brian Miller, Lou Manning, Jeff Smith, Fred Dula

ABSENT: John Daniels, Leigh Ann Loeblein, Ken Mowery

STAFF: Harold Poole, Patrick Kennerly, Hubert Furr, Dan Mikkelson, Janice Hartis

The meeting was called to order by Chairman Wright. The minutes of June 26, 2001, were approved as published.

ZONING MAP AMENDMENTS

Z-16-01 Darrell W. and Janice C. Cobb, U. S. 70 near Ashbrook Road

Location: North side of U. S. 70 (Statesville Boulevard) near its intersection with Ashbrook Road

Size: Approximately 1.9 acres

Existing Zoning: R-20 Single Family-20 Residential

Proposed Zoning: B-CS Convenience Service Business

(a) Chairman Wright convened a courtesy hearing on Z-16-01.

Those speaking in favor of the zoning change request:

Darrell Cobb, 2620 Statesville Boulevard – The property in question is surrounded by businesses—convenience store, beauty shop, restaurant, and car dealership. Part of his property will be taken due to the widening of Statesville Boulevard. The property will be hard to sell as residential. Rezoning will increase the value of the property.

Those speaking in opposition to the zoning change request:

None

The chairman closed the courtesy hearing on this case.

(b) Board Discussion:

Jeff Smith – Not opposed to rezoning the property. He would like to see the Board take a more comprehensive approach to that area since it's a major thoroughfare. Would like to see a small area study done for this area.

Sean Reid – We've already recommended several changes in this area within the last two months. We're almost doing an individual study without looking at the whole picture. Agrees with Jeff on the need for a small area study.

Rodney Queen – Pointed out there was no opposition to the rezoning and that DOT is going to widen the road which will make the petitioner's property undesirable for residential use.

Mr. Queen moved to recommend the rezoning as proposed. The motion was seconded by Brian Miller with all members voting AYE except Messrs. Smith and Reid who voted NAY. The motion carried.

Z-17-01 Yates Development LLC, 1414 South Fulton Street

Location: Vacant lot located at 1414 South Fulton Street (between Maupin and Heilig avenues)

Size: Approximately 19,800 square feet

Existing Zoning: R-8 Single Family-8 Residential

Proposed Zoning: B-CS Convenience Service Business

(a) Chairman Wright convened a courtesy hearing on Z-17-01.

Those speaking in favor of the zoning change request:

Lane Yates, the petitioner – The original use of this property was for a filling/grocery store for the Fulton Heights area. After looking closely at the Salisbury 2020 plan, one section strongly supports why a piece of property like the one in question would be practical, conducive and useful for the right idea. This property is not suitable for R-8. The proposed B-CS district has some very useful ideas that he can pursue which would be consistent with the 2020 plan.

Those speaking in opposition to the zoning change request:

Al Dunn, 628 Mitchell Avenue – Most people in the Fulton Heights neighborhood understand that R-8 does not work for this property. However, there are several concerns about the permitted uses in the B-CS district. One is the convenience store idea which he assumes would include the sale of alcoholic beverages. The idea of a neighborhood convenience store at one time sounded great. But with Winn-Dixie down the street, the neighborhood already has a lot of traffic. The residents are hesitant to have something approved that would give the area more lights and traffic.

Michael Young, 117 Maupin Avenue – Not here to speak against the rezoning. There are a number of residences that abut this property. He is concerned with bright lights from whatever commercial use is put on the property as well as noise from dumpsters being dumped early in the morning. Concerned with the amount of litter that is generated by businesses and convenience stores. Does not see this property being used for residential purposes.

Diane Dillon, Historic Salisbury Foundation – HSF not necessarily opposed to the rezoning but concerned with some of the conditional permitted uses in this zoning classification. This is an entrance into Fulton Street.

The chairman closed the courtesy hearing on this case.

(b) Board Discussion:

Sean Reid – This property is surrounded by B-6. The property can't be used for residential. B-CS has been created for limited commercial in a residential area. This would fit in perfectly. The use can only be 2,000 square feet. Maybe could be sent to committee to discuss buffering.

Jeff Smith – Moved to send to committee. The motion was seconded by Brian Miller with Smith, Miller, Reid, Stiller, and Williams voting AYE and Manning, Queen and Wright voting NAY. The motion carried. Committee 2 (Loeblein, Daniels, Queen and Manning) was assigned to this case.

(a) Chairman Wright convened a courtesy hearing on Z-18-01 Glenn M. Heilig, Jr., 1919 Jake Alexander Blvd. West

Location: 1919 Jake Alexander Boulevard West (house located at lower entrance to Salisbury Mall)

Size: Approximately 18,200 square feet

Existing Zoning: R-6A Multi-Family Residential

Proposed Zoning: B-7 Limited Business

Those speaking in favor of the zoning change request:

Mona Mowery – Can't see this property being used for single or multi-family because it is completely surrounded by lights, traffic, noise. Not a good place to raise a family. Adjoins the mall property next to K & W.

Those speaking in opposition to the zoning change request:

John Henderlite, 3 North Road – Not necessarily opposing the rezoning. The Planning Board did an area study of Jake Alexander Boulevard which included this area. He prefers studies of overall areas rather than just single-shot looks at property. Agrees that this property is not suitable for single family. B-7 may be the appropriate zoning. He feels B-1 would be more appropriate. As the Planning Board looks at this particular case, use the study that the Planning Board conducted a few months ago as a tool and factor that into your decision as to the appropriate zoning use.

The chairman closed the courtesy hearing on this case.

(b) Board Discussion:

Sean Reid – Suggested this go to a committee. B-7 opens up the area for a lot of permitted uses. This is right next to an apartment complex, and we should be sensitive to that. The property doesn't need to remain residential. We should look at something else, such as B-1 or LOI.

Jeff Smith moved to send this to a committee. The motion was seconded by Sean Reid with all members voting AYE except Elaine Stiller who voted NAY. The motion carried. Chairman Wright assigned the Jake Alexander Study Committee to this case (Wright, Stiller, Queen, Mowery).

GROUP DEVELOPMENTS

G-3-01 Bostian Retirement and Investment Specialists, Inc., 1400 North Main Street

An application has been submitted to convert an existing house into an office building. The Technical Review Committee recommends approval as submitted. On a motion by Jeff

Smith, seconded by Brian Miller, with all members voting AYE, the site plan was recommended to City Council for approval.

G-5-01 A & H Investments, Inc., Jake Alexander Blvd. West and Rose Lane

An application has been submitted for Phase One of this project which contains one office building. The Technical Review Committee recommends approval. On a motion by Fred Dula, seconded by Jeff Smith, with all members voting AYE, the site plan was recommended to City Council for approval.

G-6-01 F & M Executive Center, 225 and 227 North Main Street

An application has been submitted for the F & M Executive Center. The existing structure will be completely renovated and a new building will be constructed adjacent to the existing building. The Technical Review Committee recommends approval. On a motion by Eldridge Williams, seconded by Lou Manning, with all members voting AYE, the site plan was recommended to City Council for approval.

COMMITTEE REPORTS

(a) Legislative Committee – Sean Reid gave the committee report. The committee discussed zoning text amendments for accessory structures in residential districts and in conjunction with residential uses. After discussing the existing regulations, the committee is recommending the following: (1) Detached garages, detached carports and swimming pools will be allowed in rear and side yard areas; storage sheds and other accessory structures will be allowed in the rear yard area only. (2) No changes to existing setback requirements. (3) Size and height of accessory structures will be no larger nor taller than the principal structure. Mr. Reid moved to recommend the zoning text changes for accessory structures as presented. The motion was seconded by Fred Dula, with all members voting AYE.

(b) Historic District Committee: Z-14-01, Downtown Salisbury, Inc. – Jeff Smith gave a brief status report on the committee's first walking tour of the area. The committee plans on at least one more walking tour.

OTHER BOARD BUSINESS

Sean Reid asked that a committee be established to prepare an area study of Long Street. There are a lot of vacant lots along Long Street, and they are zoned M-2. The problem the Board had with the Jake Alexander asphalt plant could easily happen on the Long Street corridor. There are a number of residential areas which need to be protected. The following volunteered to serve on the committee: Sean Reid, DeeDee Wright, Rodney Queen, and Eldridge Williams.

There being no further business to come before the Board, the meeting was adjourned.

Secretary

Chairman